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SUBJ: OUTER SPACE LEGAL--TREATY ON THE MOON: CONCLUDING STATEMENTS

1. FINAL WEEK OF PLENARY MEETINGS OF OSLS HAS BEEN RESERVED FOR STATEMENTS FOR THE RECORD PURSUANT TO 1971 OUTER SPACE COMMITTEE DECISION TO SUSPEND SUMMARY RECORDS OF 1972 PROCEEDINGS OF OSLS UNTIL FINAL WEEK (ECONOMY MEASURE INITIATED BY US). REPORTS OF THESE MEETINGS IN THREE SEPARATE CABLES WILL COVER LINE-UP OF POSITIONS AND SIGNIFICANT POINTS RE THREE RESPECTIVE ITEMS--TOM, REGISTRATION AND EARTH RESOURCE SATELLITES.

2. GENERAL STATEMENTS REGARDING TOM REFLECTED WIDE INTEREST IN ISSUE OF SCOPE. EASTERN EUROPEAN MEMBERS (HUNGARY, POLAND, CZECHOSLOVAKIA, BULGARIA, ROMANIA) HAVE, AS EXPECTED, LINED UP WITH USSR FAVORING LIMITATION OF TREATY TO THE MOON. ROMANIA'S POSITION SLIGHTLY EQUIVOCAL WITH THE SUGGESTION THAT GENERAL PRINCIPLES IN TOM COULD BE EXTENDED TO OTHER CELESTIAL BODIES TO EXTENT THAT ANALOGY WITH MOON APPLIES.

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3. OTHER THAN EE'S, JAPAN, SURPRISINGLY, AND

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BELGIUM, AS EXPECTED, PRONOUNCED IN FAVOR OF LIMITING SCOPE TO MOON. IRAN ASSERTED, CONFUSINGLY, THAT CLAUSES IN TOM SHOULD APPLY TO THE MOON BUT THIS SHOULD NOT PREVENT EXTENSION OF CERTAIN PRINCIPLES TO OTHER CELESTIAL BODIES. CANADA, AUSTRIA, AUSTRALIA AND UK FAVORED EXPANSION TO OTHER CB'S. CANADA SUGGESTED INCLUSION OF AN ARTICLE ENVISAGING DRAFTING FUTURE TREATIES TO GOVERN ACTIVITIES ON OTHER CELESTIAL BODIES WITH UNDERSTANDING SUCH FUTURE TREATIES WOULD TAKE PRECEDENCE OVER TOM WITH RESPECT TO PARTICULAR CB CONCERNED. POSITIONS OF EGYPT AND FRANCE EQUIVOCAL--EGYPT PREFERRING TO LIMIT SCOPT BUT INDICATING IT WOULD GO ALONG WITH CONSENSUS FAVORING EXPANSION; FRANCE, ALLUDING TO ABSENCE OF INSTRUCTIONS, INDICATED POSSIBLE CONCURRENCE IF MAJORITY PREFERRED LIMITATION TO MOON.

4. CONTROVERSIAL ISSUE OF LINKING "COMMON HERITAGE" CONCEPT WITH NATURAL RESOURCES ALSO SUBJECT FAIRLY EXTENSIVE COMMENT. WHILE ALL DELS THAT ADDRESSED THIS ISSUE (JAPAN, CANADA, USSR, FRANCE, ROMANIA, HUNGARY, CZECHOSLOVAKIA, ARGENTINA, IRAN AND MONGOLIA) EXPRESSED AGREEMENT WITH US PROPOSAL TO DEFER ESTABLISHMENT OF INTERNATIONAL REGIME FOR SHARING OF BENEFITS FROM LUNAR RESOURCES TO TIME WHEN EXPLOITATION BECOMES A REALITY, POSITIONS VARIED RE ENSHRINING CONCEPT OF COMMON HERITAGE IN ARTICLE DEALING WITH NATURAL RESOURCES. USSR OPPOSES REFERENCE TO CONCEPT IN TREATY; EGYPT, INDIA, ARGENTINA, IRAN, AND LEBANON FAVOR INCLUSION OF CONCEPT IN CONNECTION WITH RESOURCES ARTICLE; JAPAN DOUBTFUL RE EXTENSION OF THIS CONCEPT TO RESOURCES OF MOON IN TREATY LANGUAGE BEFORE MORE KNOWN REGARDING LUNAR RESOURCES; CZECHOSLOVAKIA, SURPRISINGLY, TOOK POSITION SLIGHTLY IN ADVANCE OF USSR ACKNOWLEDGING RELEVANCY OF CONCEPT OF COMMON HERITAGE TO LUNAR RESOURCES BUT CONCEDING IT PREMATURE TO INCORPORATE IT INTO FORMAL TREATY INSTRUMENT.

5. TIMING. SEVERAL DELS HAVE PROJECTED 1973 SESSION OF THE LEGAL SUBCOMMITTEE AS TARGET DATE FOR CONCLUDING TOM. (EGYPT, INDIA, CANADA). CANADA NOTED NEED FOR MORE TIME, AT LEAST UNTIL SEPTEMBER, TO FORMULATE POSITION ON POSSIBLE LIABILITY PROVISION. USSR TALKED ABOUT FINISHING THIS TREATY AT SEPTEMBER MEETING OF PARENT OUTER SPACE COMMITTEE. RIMESTAD